

**STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
OFFICE OF FINANCIAL AND INSURANCE SERVICES**

**Before the Commissioner of the Office of Financial and Insurance Services**

**In the matter of:**

**Andrea Vinson  
7080 Marsh Road  
Marine City, MI 48039**

**Enforcement Case No. 06-4273**

**Respondent**

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**Issued and entered,  
on July 24, 2006  
by Richard D. Lavolette  
Chief Deputy Commissioner**

**CONSENT ORDER**

**I.  
BACKGROUND**

Castlerock Funds, Inc. is a Michigan domiciled corporation, organized under the laws of the state of Michigan, that has made application for licensure as a mortgage broker under the Mortgage Brokers, Lenders, and Servicers Licensing Act (“MBLSLA”), Act No. 173 of 1987, as amended, MCL 445.1651 *et seq.* Andrea Vinson (Respondent) is the sole officer of Castlerock Funds, Inc. Respondent is not licensed by the Office of Financial and Insurance Services (“OFIS”) pursuant to the MBLSLA or any other consumer finance statute regulated by OFIS. In reviewing Castlerock Funds, Inc.’s application, OFIS staff determined that Respondent was conducting mortgage-related activities, which require licensure as a mortgage broker under the

MBLSLA. Respondent and OFIS staff have conferred and have agreed to resolve this matter according to the terms set forth below.

## **II.**

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

1. In Respondent's Personal Disclosure Statement submitted to OFIS on or about February 15, 2006, Respondent affirmed that, from 1999 to the present, mortgage companies contracted with her to originate mortgage loans. Specifically, Respondent has originated loans for G.M. Mortgage Corporation and Source One Mortgage Corporation (Source One Mortgage), formerly known as G.M. Mortgage Corporation. Staff received a letter dated March 10, 2006, from Renee Graham, an office manager of Source One Mortgage. The letter declares that Respondent has originated loans for Source One Mortgage since the year 2003, and is currently a loan originator for Source One Mortgage. Additionally, Respondent asserts in her mortgage broker application that she is an employee of Source One Mortgage; however, she has received nonemployee compensation during her alleged employment as a loan officer of Source One Mortgage.

2. Respondent submitted to OFIS Forms 1099 for the years 2002, 2003, 2004, and 2005 illustrating that for the aforementioned years, she received nonemployee compensation from G.M. Mortgage Corporation and Source One Mortgage. Section 2 of the MBLSLA proscribes Respondent from receiving compensation from a mortgage company unless she is an employee of the mortgage company or meets any of the exceptions enumerated therein. Respondent does not meet any of exceptions specified in Section 2 of the MBLSLA and, consequently, Respondent's receipt of nonemployee compensation for originating mortgage loans is a violation

of the MBLSLA.

3. Section 2(1) of the MBLSLA prohibits a person from acting as a mortgage broker, mortgage lender, or mortgage servicer without first obtaining a license or registration.

4. Section 2(3) of the MBLSLA prohibits a residential mortgage loan originator (also known as a loan officer) from receiving directly or indirectly any compensation, commission, fee, points or other remuneration from a mortgage broker, mortgage lender, or mortgage servicer other than his/her employer.

5. Based on the forgoing, Respondent has conducted first lien mortgage business without the requisite license or registration certificate required under Section 2(1) of the MBLSLA.

### **III. ORDER**

Therefore it is ORDERED that:

1. Respondent shall cease and desist violating Sections 2(1) and 2(3) of the MBLSLA.

2. Respondent shall pay to OFIS an applicable civil penalty of \$1000.00.

3. Respondent, as the sole officer of Castlerock Funds, Inc., shall establish and maintain a program to monitor and ensure compliance with all state and federal consumer laws and regulations relating to all mortgage activity.

4. Respondent, as the sole officer of Castlerock Funds, Inc., shall educate herself and all employees of Castlerock Funds, Inc. with respect to all state and federal consumer

laws and regulations, including the Mortgage Brokers, Lenders, and Servicers Licensing Act.

5. Respondent shall review and ensure that Castlerock Funds, Inc. complies with the OFIS Consumer Finance Bulletin No. 2003-09-CF, posted on the OFIS website, which clarifies OFIS' position on employees and branch offices in Michigan.

6. Respondent, as the sole officer of Castlerock Funds, Inc., shall immediately designate a compliance officer for Castlerock Funds, Inc. and provide written notification to OFIS of the compliance officer's name and business address, to ensure that Castlerock Funds, Inc. is in compliance with all applicable state and federal laws. Respondent's written notice designating a compliance officer shall accompany her payment of a civil penalty as provided for in Paragraph 2 of this Order. Respondent, as the sole officer of Castlerock Funds, Inc., shall notify the Office of Financial and Insurance Services of any change in designation of the compliance officer within 30 days of such re-designation.

The Chief Deputy Commissioner, the Commissioner's authorized agent, retains jurisdiction over the matters contained herein and has the authority to issue such further Order(s) as she shall deem just, necessary, and appropriate in accordance with the provisions of the MBLSLA. Failure by Andrea Vinson and Castlerock Funds, Inc. to abide by the terms and provisions of this Order may result in the commencement of additional proceedings.

A handwritten signature in black ink, appearing to read "R. D. Lavolette", with a stylized flourish at the end.

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Richard D. Lavolette,  
Chief Deputy Commissioner